

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.5688 OF 2023

ORDER:

1. This petition is filed under Sections 437 and 439 of Criminal Procedure Code, 1973 (Cr.P.C) seeking to grant regular bail to the petitioner who is arrayed as accused No.1 in Crime No.92 of 2023 of Abids Road Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 304-B and 498-A of the Indian Penal Code and Sections 3, 4 and 6 of the Dowry Prohibition Act.

2. The sum and substance of case of the prosecution is that the marriage between the deceased and accused No.1 was held on 12.02.2023. At the time of marriage an amount of Rs.5,50,000/- of cash and four (04) tulas of gold was given as dowry. After the marriage, accused No.1 has set up a family in Hyderabad. Accused allegedly harassed the deceased for want of additional dowry and he also made comments about her colour. It is also alleged that accused continuously harassed the deceased for want of additional dowry. On 10.04.2023 a voice message was sent by the deceased to her younger brother saying

that the accused has been harassing her sexually and insisting her for sexual intercourse. Unable to bear the harassment of accused, the deceased committed suicide.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for respondent - State.

4. The voice message was sent just before the deceased jumping from the building. In the said voice message, there is no reference of demand of additional dowry and harassment for non fulfilling such demand and the fact that the petitioner is in jail for more than 80 days.

5. In the said circumstances, this Court is inclined to grant bail to the petitioner-accused No.1 on certain terms and conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioner-accused No.1 shall be released on bail on the following terms and conditions:

- (i) The petitioner-accused No.1 shall be released on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties

for a like sum each to the satisfaction of II Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

- (ii) The petitioner-accused No.1 shall appear before the S.H.O., Abids Police Station, Hyderabad on every Sunday between 10 a.m., and 5 p.m for a period of two (02) months.
- (iii) The petitioner-accused No.1 shall not directly or indirectly influence or make any witnesses or complainant.
- (iv) The petitioner-accused No.1 shall not indulge in similar type of offences till conclusion of trial and if it is found that the petitioner is involved in similar type of offences in future, the bail granted to him shall automatically stands cancelled and he shall be taken into custody forthwith.
- (v) The petitioner-accused No.1 shall make available with the investigating agency for proper investigation and he shall fully cooperate with the investigation agency. He shall not at in any manner which will be prejudicial to fair and expeditious investigation.

JUSTICE M. LAXMAN

Date: 04.07.2023
pld/ns

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